

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	Toru Kimura et al.	Confirmation No.:	4887
Application No.:	10/586,187	Group Art Unit:	1722
Filed:	July 31, 2007	Examiner:	JOHNSON, CONNIE P.

For: Upper Layer Film Forming Composition for Liquid Immersion and Method of
Forming Photoresist Pattern

Commissioner for Patents
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

This Information Disclosure Statement is submitted:

- Under 37 CFR § 1.97(b): (1) Within three months of filing of national application; (2) Within three months of date of entry of the national stage as set forth in § 1.491 in an international application; (3) Before mailing of a first Office action on the merits; or (4) Before mailing of a first Office action after the filing of a request for continued examination under § 1.114.
- Under 37 CFR § 1.97(c): After the period specified in § 1.97(b) but before the mailing date of either a final action under § 1.113 or a notice of allowance under § 1.311, whichever occurs first, and accompanied by either:
 - (1) A statement under § 1.97(e) as set forth below, or
 - (2) A \$180.00 fee under 37 CFR 1.17(p).
- Under 37 CFR § 1.97(d): After the period specified in § 1.97(c) but on or before payment of the issue fee, and accompanied by:
 - (1) A statement under § 1.97(e) as set forth below; and
 - (2) A \$180.00 fee set forth in 37 CFR 1.17(p).

Statement under 37 CFR § 1.97(e):

- Not necessary, because this IDS is filed under § 1.97(b) or § 1.97(c)(2).

- Each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(1); or
- No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the information disclosure statement. See 37 CFR 1.97(e)(2).

Form PTO/SB/08—Information Disclosure Citation is attached with copies of patents, publications, or other information of which Applicants are aware, which may be material to the examination of this application, and for which there may be a duty to disclose in accordance with 37 CFR 1.56. This is not to be construed as a representation that a search has been made or that no better prior art exists, or that a reference is relevant merely because cited. The Extended European Search Report is concurrently submitted with this Information Disclosure Statement. The reference(s) cited therein, except for the reference(s) previously submitted in this application, are listed in the attached form PTO/SB/08.

The Examiner is requested to initial the attached form PTO/SB/08 and to return a copy of the initialed document to the undersigned as an indication that the attached references have been considered and made of record.

Please charge any shortage in fees due in connection with the filing of this paper to Deposit Account 504213 and please credit any excess fees to such deposit account.

Respectfully submitted,

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